

Civil Action No. 08-cv-2832

1. On April 16, 2010, the Court entered a notice setting the Scheduling Conference in this case for May 27, 2010 before Magistrate Judge Tu M. Pham.
2. The Instructions for Rule 16(b) Scheduling Conferences Before Magistrate Judge Tu M. Pham state that “Out-of-town attorneys may request permission from the Magistrate Judge to appear by telephone, provided the request is made at least three (3) business days before the date of the conference” and counsel makes the request in writing and provides his name and telephone number.

3. Co-Lead Counsel Sanford is located in Washington, D.C., and will also be out of town during the May 27<sup>th</sup> Scheduling Conference. Co-Lead Counsel Sanford plans to participate in this conference by telephone at (202) 276-4028.
4. Co-Lead Counsel Grant Morris will be present in the courtroom for the May 27, 2010 Scheduling Conference.

WHEREFORE, Plaintiff-Relator respectfully moves this Court to allow Co-Lead Counsel David Sanford to appear telephonically at the May 27, 2010 Scheduling Conference.

Respectfully submitted this 10<sup>th</sup> day of May 2010.

/s/ Kevin H. Sharp

Kevin H. Sharp  
**DRESCHER & SHARP, PC**  
1720 West End Ave., Ste. 300  
Nashville, TN 37212

/s/ David W. Sanford

David W. Sanford  
D.C. Bar No. 457933  
**SANFORD WITTELS & HEISLER**  
1666 Connecticut Avenue, N.W.  
Suite 310  
Washington, D.C. 20009  
Telephone: (202) 742-7777  
Facsimile: (202) 742-7776

/s/ Grant Morris

Grant Morris, D.C. Bar No. 926253  
**LAW OFFICES OF GRANT MORRIS**  
1666 Connecticut Ave., NW, Suite 310  
Washington, D.C. 20009  
Telephone: (202) 742-7783  
Facsimile: (202) 742-7776

**Counsel for Plaintiff-Relator**

**CERTIFICATE OF SERVICE**

I HERBY CERTIFY that a true and correct copy of the foregoing Plaintiff-Relator's Motion to Appear Telephonically at Scheduling Conference was served on May 10, 2010, by filing the same electronically, upon the following counsel of record:

Kevin P. Whitmore  
Assistant United States Attorneys  
United States Attorney's Office  
Western District of Tennessee  
167 N. Main Street, Ste. 800  
Memphis, TN 38103

Glen G. Reid, Jr.  
Wyatt Tarrant & Combs, LLP  
1715 Aaron Brenner Drive, Suite 800  
Memphis, TN 38120-4367

s/ Kevin Sharp

Kevin Sharp